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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF WASHINGTON

6 UNITED STATES OF AMERICA,

No. 2:15-CR-133-SMJ-3

7 Plaintiff,

8 ORDER GRANTING
9 DEFENDANT'S MOTION
10 TO RECONSIDER

11 vs.

12 CARLOS MANUEL FLEITAS,

☒ Motion Granted

13 Defendant.

(ECF No. 95)

14 At the June 7, 2016, hearing on Defendant's Motion to Modify the
15 Conditions of Release set by Judge Imbrogno on May 26, 2016, ECF No. 95,
16 Defendant was present with counsel, Steven P. Frampton. Assistant U.S. Attorney
17 Earl Hicks represented the United States.

18 The Defendant requested to be allowed to reside in Florida during the
19 pendency of this case. The United States objected to his request, citing prior
20 criminal activity, warrant history and the substantial amount of discovery that
21 Defendant would need to review.

22 The Court considered the Pretrial Services Report filed May 26, 2016, ECF
23 No. 86, the conditions of release set by Judge Imbrogno, Defendant's Motion ECF
24 95, and statements made by the parties at today's hearing.

25 This Court has taken into account the evidence, testimony and information
26 produced at this hearing concerning the nature and circumstances of the offense
27 charged, the weight of the evidence against the Defendant, his history and
28 characteristics, including character, physical and mental condition, family ties,
employment, financial resources, length of residence in the community,

1 community ties, past conduct, history relating to alcohol and drug abuse, criminal
2 history, record concerning appearance at court proceedings, and the nature and
3 seriousness of the danger to the community posed by Defendant's release.

4 The Court, having considered the proffers of Defendant and Plaintiff, and 18
5 U.S.C. § 3142, finds there are conditions that will reasonable assure the safety of
6 the community or other persons, and defendant's appearance for further
7 proceedings. Accordingly Defendant's Motion, **ECF No. 95**, is **GRANTED**.

8 The following conditions in the Order filed May 26, 2016, ECF No. 89, are
9 **modified** as follows:

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11 **(11)** Defendant is required to reside in the Eastern District of Florida, at an
12 address known to and approved by Pretrial Services

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14 **(14)** Except for court-proceedings in Idaho and court proceedings in Spokane,
15 Washington, Defendant shall remain in the Southern District of Florida
16 while the case is pending. By timely motion clearly stating whether
17 opposing counsel and Pretrial Services object to the request, Defendant may
18 be permitted to travel outside this geographical area.

19 The following **additional** conditions are imposed:

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21 **(32)** Defendant shall remain in the Eastern District of Washington unless and
22 until Pretrial Services in the Southern District of Florida confirms that
23 Defendant will be accepted for courtesy supervision in the latter district.

24 All previous terms and conditions of release not inconsistent with this order
25 to remain in full force and effect.

26 **IT IS SO ORDERED.**

27 DATED June 7, 2016.



A handwritten signature in black ink, appearing to be "M" or "Rodgers".

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE